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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,919	01/28/2002	Yi-Ming Liao	2769-115	1466

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ROTHWELL, FIGG, ERNST & MANBECK, P.C.  
1425 K STREET, N.W.  
SUITE 800  
WASHINGTON, DC 20005

EXAMINER

THAI, CANG G

ART UNIT PAPER NUMBER

3629

DATE MAILED: 11/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/055,919	<b>Applicant(s)</b> LIAO ET AL.	
	<b>Examiner</b> Cang G. Thai	<b>Art Unit</b> 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 August 2005.  
 2a) ☒ This action is FINAL.                      2b) ☐ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3, 6-10 and 13-15 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
 6) ☒ Claim(s) 1-3, 6-10 and 13-15 is/are rejected.  
 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Response to Amendment***

The amendment filed on 08/05/2005 has been entered.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 6-10, and 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0249868 (TSAI ET AL.).

As for claim 1, TSAI discloses a method for controlling production and exportation, used to connected trading branches of an enterprise to a system for controlling production and exportation via a network, wherein the system for controlling production and exportation shares client orders with the trading branches for product exportation, so as to improve business performances for the trading branches, and enhance profits for the enterprise; the method comprising the steps of:

- (1) receiving client order data transmitted from a receiving trading branch via the system for controlling production and exportation, and storing the client order data in an original database of the system for controlling production and exportation, wherein the receiving trading branch does not perform production

and exportation {Page 1, Paragraph [0005], Lines 3-6, wherein this reads over “receiving a client order, a manufacturer can estimate product exportation time for reply to a client by processing and integrating the client order with practical material requirements and stock records”};

- (2) retrieving the client order data from the original database via the system for controlling production and exportation, and processing the client order data to be first processed order data in a manner that, a material lacking status of the receiving trading branch is marked in the client order data a seller is changed from the receiving trading branch to a controlling trading branch and product prices are adjusted to be lower, wherein the first processed order data are stored in a first database; prompting the controlling trading branch to login the system for controlling production and exportation, and retrieving the first processed order data from the first database according to system authorization provided for the controlling trading branch via the system for controlling production and exportation, so as to assign the first processed order data to the controlling trading branch as a business performance thereof, whereas the controlling trading branch does not perform production and exportation {Page 1, Paragraph [0008], Lines 6-11, wherein this reads over “a control module for receiving the processing signal from the request input module, and for outputting a controlling signal according to the received processing signal, wherein the control module includes a storage interface, a schedule interface and a retrieval interface”};

- (3) determining that an exporting trading branch has better resources for product manufacturing and exportation based on the first processed order data by the controlling trading branch, and processing the first processed order data to second processed order data in a manner that, a material lacking status of the controlling trading branch is marked in the first processed order data, a seller is changed from the second trading branch to a exporting trading branch, and the product prices are adjusted to be further lower, wherein the second processed order data are stored in a second database; prompting the exporting trading branch to login the system for controlling production and exportation, and retrieving the second processed order data from the second database according to system authorization provided for the exporting trading branch via the system for controlling production and exportation, so as to assign the second processed order data to the exporting trading branch as a business performance thereof, and allow the exporting trading branch to perform product manufacture {Page 1, Paragraph [0008], Lines 14-19, wherein this reads over "if the control module receives the processing signal from the request input module corresponding to the data uploading request, it generates an uploading controlling signal for prompting the storage interface to store the upload manufacture associated data in the first database"}; and
- (4) exporting manufactured products to the receiving trading branch via the exporting trading branch after completing the product manufacture {Page 1, Paragraph [0008], Lines 37-39, wherein this reads over "to allow manufacturer to be able to

control product manufacture for exportation on time and monitor stock quantity in real time"}.

As for claim 2, TSAI discloses the method of claim 1, wherein the step (2) further comprises: (2-1) determining via the system for controlling production and exportation if a request for transferring a client order is submitted by the controlling trading branch, wherein if the request is submitted, the step (3) is followed: or else, the step (2-1) is repeated {Page 1, Paragraph [0008], Lines 37-39, wherein this reads over "to allow manufacturer to be able to control product manufacture for exportation on time and monitor stock quantity in real time"}.

As for claim 3, TSAI discloses the method of claim 1, wherein the step (4) further comprises: login the system for controlling production and exportation via the receiving trading branch after receiving the manufactured products from the exporting trading branch, and retrieving the client order data from the original database via the system for controlling production and exportation according to system authorization provided for the receiving trading branch, so as to allow the receiving trading branch to determine if the manufactured products are complete according to the client order data {See Fig. 1, Element 10 and Page 2, Paragraph [0018], Lines 1-4, wherein this reads over "the request input module 20 is used to receive a data uploading request or a data downloading request inputted by a user at the terminal device 10 of the manufacture 1"}.

As for claim 6, TSAI discloses the method of claim 1, wherein the resources include human resources {See Fig. 1, Element 3 and Page 2, Paragraph [0017], Lines

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23-26, wherein this reads over "ODBC (open database connectivity) software of Microsoft can be employed to construct a desirable application program, such as the control module 21, so as to connect the trading server 2 to the database server 3").

As for claim 7, TSAI discloses the method of claim 1, wherein the network is Internet or intranet {Column 2, Paragraph [0017], Line 17, wherein this reads over ".....employed to put data in the Internet"}.

As for claim 8, TSAI discloses the method of claim 1, wherein the system for controlling production and exportation is established in a server host {See Fig. 1, Element 2 and Page 2, Paragraph [0017], Lines 23-26, wherein this reads over "ODBC (open database connectivity) software of Microsoft can be employed to construct a desirable application program, such as the control module 21, so as to connect the trading server 2 to the database server 3"}.

As for claim 9, TSAI discloses a system for controlling production and exportation, connected with trading branches of an enterprises via a network, allowing client orders to be shared with the trading branches for product exportation, so as to improve business performances for the trading branches, and enhance profits for the enterprise; the system comprising:

an original database for storing client order data received by a receiving trading branch {See Fig. 1, Element 300 and Page 2, Paragraph [0020], Lines 9-11, wherein this reads over "the schedule interface 211 processes data operation for an order date and order items of the client order data 300"};

an analyzing module for generating corresponding reaction according to requests transmitted from the trading branches {See Fig. 1, Element 31};

a processing module for transferring the client order data from the receiving trading branch to other trading branches,

wherein upon receiving a request for uploading the client order data from the receiving trading branch, the analyzing module stores the uploaded client order data in the original database according to system authorization provided for the receiving trading branch, and prompts the processing module to retrieve the client order data from the original database, so as to process the client order data to be first processed order data in a manner that, order items of the client order data are reset to be in a material lacking status, product prices are adjusted to be lower than those in the client order data, and a seller is changed from the first trading branch to a second trading branch; wherein subsequently the processing module processes the first processed order data to be second processed order data in a manner that, order items of the first processed order data are reset to be in a material lacking status, product prices are adjusted to be lower than those in the first processed order data, and a seller is changed from the receiving trading branch to a controlling trading branch;

wherein subsequently the controlling trading branch determines that an exportation trading branch has better resources for product manufacturing and exportation based on the first processed order data, then the processing module processes the first processed order data to be second processed order data in a manner that, order items of the first processed order data are reset to be in a material



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lacking status, product prices are adjusted to be lower than those in the first processed order data, and a seller is changed from the controlling trading branch to a exporting trading branch, so as to allow the exporting trading branch to perform product manufacture and export manufactured products to the receiving trading branch; {See Fig. 1, Element 311};

a first database for storing the first processed order data to be retrieved by the controlling trading branch after login the system for controlling production and exportation {See Fig. 1, Element 3}; and

a second database for storing the second processed order data to be retrieved by the exporting trading branch after login the system for controlling production and exportation {See Fig. 1, Element 302}.

As for claim 10, TSAI discloses the system of claim 9, wherein after receiving the manufactured products from the exporting trading branch, the receiving trading branch login the system for controlling production and exportation, and the analyzing module is prompted to retrieve the client order data from the original database according to system authorization provided for the receiving trading branch, so as to allow the receiving trading branch to determine if the manufactured products are complete according to the client order data {Page 2, Paragraph [0018], Lines 4-7, wherein this reads over "upon receiving the data uploading or downloading request, the control module 21 is prompted by the request input module 20 to generate processing signal corresponding to the receive request"}.

As for claim 13, TSAI discloses the system of claim 9, wherein the resources include human resources {Page 2, Paragraph [0017], Lines 2-3, wherein this reads over "a control module 21 connected to the request input module 20"}.

As for claim 14, TSAI discloses the system of claim 9, wherein the network is Internet or intranet {Page 2, Paragraph [0017], Lines 17-18, wherein this reads over "data in intranet or internet via HTTP or FTP communication protocol"}.

As for claim 15, TSAI discloses the system of claim 9, wherein the system for controlling production and exportation is established in a server host {Page 2, Paragraph [0017], Lines 1-2, wherein this reads over "the trading server 2 comprises a request input module 20"}.

### ***Response to Arguments***

3. Applicant's arguments filed 08/05/2005 have been fully considered but they are not persuasive.

TSAI discloses the teaching of receiving trading branch, controlling trading branch and exporting trading branch, or determining the exporting trading branch has better resources for product manufacturing and exportation in Fig. 1, Element 302 and Page 3, Paragraph [0022], Lines 17-24, wherein this reads over "the stock record data 302, and are set to be in a reserve status, so as to make these available resources used in product manufacture for other client orders with their exportation dates being approached, or to allow an purchasing department to add up new orders to product manufacture, and allow a manufacture schedule to be well adjusted in sufficient time".

***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

No claims are allowed.

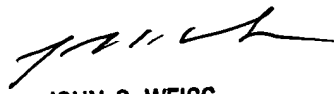
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (571) 272-6499. The examiner can normally be reached on 6:30 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT  
10/02/2005

  
JOHN G. WEISS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600